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Executive Secretary 1 May 85

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NATIONAL SECURITY COUNCIL WASHINGTON, D.C. 20506

April 30, 1985

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MEMORANDUM FOR MR. NICHOLAS PLATT

Executive Secretary Department of State

MR. EDWARD J. STUCKY Acting Executive Secretary Department of the Treasury

COLONEL R. J. AFFOURTIT Executive Secretary . Department of Defense

Executive Registry 1765

MR. STEPHEN GALEBACH Senior Special Assistant to the Attorney General Department of Justice

MS. HELEN ROBBINS Executive Assistant to the Secretary Department of Commerce

MR. WILLIAM VITALE Executive Secretary Department of Energy

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STAT

Executive Secretary Central Intelligence Agency

MR. GEORGE A. KEYWORTH, II Science Advisor to the President and Director, Office of Science and Technology Policy

MR. STEVEN GARFINKEL Director, Information Security Oversight Office

DR. FRANCIS JOHNSON Assistant Director for Astronomical, Atmospheric, Earth and Ocean Sciences National Science Foundation

SUBJECT:

Draft NSDD

As part of the NSSD 1-83 on the Transfer of Strategic Technology, the Office of Science and Technology Policy has prepared a draft NSDD on controlling the flow of information produced by basic research at colleges, universities, and laboratories under contract to the U.S. government. Please provide agency comments on the draft NSDD by Friday, May 31, 1985.

Robert M. Kimmitt

Attachment - Draft NSDD: National Policy on the Transfer of Scientific and Technical Information

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NATIONAL POLICY ON THE TRANSFER OF SCIENTIFIC AND TECHNICAL INFORMATION

I. PURPOSE

This directive establishes national policy for controlling the flow of science and technology information produced in fundamental research at colleges, universities, and laboratories under contract to U.S. government agencies.

II. BACKGROUND

The acquisition of advanced technology from the United States by Eastern Bloc nations for the purpose of enhancing their military capabilities poses a significant threat to our national security. Intelligence studies indicate a small but significant target of the Eastern Bloc intelligence gathering effort is science and engineering research performed at universities and federal laboratories. At the same time, our leadership position in science and technology is an essential element in our economic and physical security. The strength of American science requires a research environment conducive to creativity, an environment in which the free exchange of ideas is a vital component.

In 1982, the Department of Defense and National Science Foundation sponsored a National Academy of Sciences study of the need for controls on scientific information. This

Study was chaired by Dr. Dale Corson, President Emeritus of Cornell University. It concluded that, while there has been a significant transfer of U.S. technology to the Soviet Union, the transfer has occurred through many routes with universities and open scientific communication of fundamental research being a minor contributor. Yet as the emerging government-university-industry partnership in research activities continues to grow, a more significant problem may well develop.

III. POLICY STATEMENT

It is the policy of this administration that the mechanism for control of fundamental research in science and engineering at colleges, universities and laboratories under contract to U.S. Government Agencies is classification. Consistency of this policy with applicable U.S. Statutes must be maintained. Each federal government agency is responsible for: a) determining whether classification is appropriate prior to the award of a research grant or contract and, if so, controlling the research results through standard classification procedures; b) periodically reviewing all research grants or contracts for potential classification. No restrictions may be placed upon the conduct or reporting of fundamental research that has not received national security classification.

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